

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

ANGI MCCUTCHEON,

Plaintiff,

vs.

WILLAMETTE VALLEY RESTORATION,
INC., an Oregon Corporation,

Defendant.

Case No. 6:20-cv-01019-MK
OPINION AND ORDER

AIKEN, District Judge:

United States Magistrate Judge Mustafa T. Kasubhai issued Findings and Recommendation (“F&R”) (doc. 19) recommending that defendant’s Motion to Dismiss (doc. 4) be granted in part and that the Court dismiss plaintiff’s federal claim, decline to exercise supplemental jurisdiction over plaintiff’s state law claim, and remand the case to Marion County Circuit Court. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

Defendant filed timely objections to which plaintiff responded and plaintiff replied. Docs. 21, 22, 25. Accordingly, the Court must “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

I have carefully considered defendant’s objections and conclude there is no basis to modify the F&R. I have also reviewed the pertinent portions of the record *de novo* and find no errors in Judge Kasubhai’s F&R. Accordingly, the Court ADOPTS the F&R (doc. 19).

IT IS SO ORDERED.

Dated this 31st day of December 2020.

/s/Ann Aiken

Ann Aiken
United States District Judge